

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Boulder, Colorado 80537-0599

01-11-02

PATENT APPLICATION

ATTORNEY DOCKET NO. 10990640-2

IN THE
U.S. PATENT AND TRADEMARK OFFICE

International Classification of this application:

Class 347 Subclass

Prior application:

Examiner: Jeffrey Siew

Art Unit: 1656

"Express Mail" label no.: EL790504706US

Date of Deposit: Nov. 26, 2001

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

By

Typed Name: Elizabeth Miller

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a

- ☒ continuation application of:
☐ divisional application of:

Pending Prior Application

Application Serial No. 09/302,922 filed April 30, 1999

Title FABRICATING BIOPOLYMER ARRAYS

Name of applicant(s) Michael P. Caren, Carol T. Schembri, Peter G. Webb

Copy of Application

- ☐ Enclosed is a copy of the prior application, including the drawings.
☒ Enclosed is a new specification, including new drawings.

Oath or Declaration

- ☒ Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).
☐ Enclosed is a newly executed Declaration (original or copy).

Foreign Priority - 35 USC 119

- ☐ Foreign priority under 35 U.S.C. 119 has been claimed in prior application Serial No. _____
filed on _____ in _____
☐ The certified copy has been filed in prior application Serial No. _____
filed _____
☐ A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Relate Back - 35 USC 120

- ☒ Amend the specification after the title by inserting the following heading:

--Cross Reference To Related Application(s)--;

and add the paragraph:

--This is a ☒ continuation ☐ divisional

of copending application serial number 09/302,922 filed on April 30, 1999.

Inventorship Statement

- () Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- () Recognize as Associate Attorney or Agent _____
Registration No. _____
() authorization is hereby granted by signature below of the Attorney or Agent of record
() the Associate Attorney or Agent shall not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to: Direct telephone calls to:

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

Gordon M. Stewart
(650) 485-2386

Other Amendments

- Before calculating the filing fee, amend the prior application as follows:

- () Cancel the following claims _____ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
() Enter the enclosed Preliminary Amendment.

Fee Calculation

- (X) The filing fee is calculated below for (X) Utility () Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	15 — 20	0	X \$18	\$ 0
INDEPENDENT CLAIMS	3 — 3	0	X \$84	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0		\$280	\$ 0
BASIC FEE: Design (\$330.00); Utility (\$740.00)				\$ 740
TOTAL FILING FEE				\$ 740
TOTAL CHARGES TO DEPOSIT ACCOUNT				\$ 740

Charge \$ 740 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this transmittal letter is enclosed.

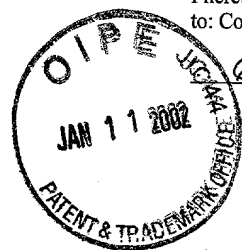
Respectfully submitted,
Michael P. Caren et al.

By 
Gordon M. Stewart
Attorney/Agent for Applicant(s)
Reg. No. 30,528

Date: Nov. 26, 2001

Telephone No.: (650) 485-2386

CERTIFICATE OF MAILING *E.M.*
I hereby certify that this paper is being deposited with the U.S. Postal Service as Registered First Class mail in an envelope addressed to: Commissioner for Patents Washington, D.C. 20231, on the date listed below.



Elizabeth Miller
Elizabeth Miller

November 29, 2001
Date

ATTY DOCKET No. 10990640-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael P. Caren et al.

Group Art Unit: 1656

Continuing Application for Pending

Examiner: Jeffrey Siew

Prior Application Serial No. 09/302,922

Filed:

Title: FABRICATING BIOPOLYMER ARRAYS

Box FILING DATE

Commissioner for Patents
Washington, DC 20231

*Receipt date
Granted is 11/26/01.
E. Jones from OPLA.*

Dear Sir:

**REQUEST FOR FILING DATE - EXPRESS MAIL RETURNED BY THE U.S.
POSTAL SERVICE (37 C.F.R. (e) and O.G. Notice of Oct. 9, 2001)**

The following are enclosed:

(a) a sealed Express Mail envelope bearing the completed Express Mail Label with a "Date In" at the U.S.P.S. of 11/26/01, and also bearing a memo from the U.S.P.S. date stamped Nov. 27/01 advising that the Express Mail envelope is being returned due to a suspension of service to ZIP Codes 202 through 205; and

(b) a Statement by my assistant, Elizabeth Miller, that she deposited the enclosed Express Mail envelope at a U.S.P.S. postal station, where it was accepted, on 11/26/01, as shown on the Express Mail Label attached to the envelope.

The returned Express Mail envelope was received by me on Nov. 28/01.

The enclosed sealed Express Mail envelope contains the following:

(i) a continuation patent application (total of 25 pages) and drawings (total of 4 pages);

(ii) Request for a Continuing Application Under 37 CFR 1.53(b) –
(in duplicate);

(iii) copy of Inventors' Declaration and Power of Attorney from parent application from which priority is claimed; and

(iv) return postcard

Given this envelope was accepted by the U.S.P.S. on 11/26/01 and now returned, it is hereby requested that:

(1) the enclosed application be given a filing date of 11/26/01; and

(2) the postcard in the enclosed sealed envelope be stamped with the 11/26/01 filing date and application serial number, and returned to us.

If there are any outstanding issues regarding this communication, the Patent Office is invited to call Gordon Stewart at (650)485-2386.

Respectfully submitted,



Gordon M. Stewart
Attorney for Applicants
Reg. No. 30,528

Agilent Technologies, Inc.
Legal Department, DL429
IP Administration
P.O. Box 7599
Loveland, CO 80537-0599

10059957 "112601"

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the U.S. Postal Service as Registered First Class mail in an envelope addressed to: Commissioner for Patents Washington, D.C. 20231, on the date listed below.

Elizabeth Miller
Elizabeth Miller

November 29, 2001
Date



ATTY DOCKET No. 10990640-2

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In re Application of: Michael P. Caren et al.

Group Art Unit: 1656

Continuing Application for Pending

Examiner: Jeffrey Siew

Prior Application Serial No. 09/302,922

Filed:

Title: FABRICATING BIOPOLYMER ARRAYS

Box FILING DATE

Commissioner for Patents

Washington, DC 20231

Dear Sir:

STATEMENT IN SUPPORT OF A REQUEST FOR FILING DATE

I am an employee of Agilent Technologies, Inc., and the Administrative Assistant to Gordon M. Stewart.

On 11/26/01 I deposited the enclosed sealed Express Mail envelope with a U.S. Postal Service postal station at Los Altos, CA. The enclosed sealed Express Mail envelope bears the completed Express Mail Label with a "Date In" (Acceptance Clerk initialed) at the U.S.P.S. of 11/26/01, and also bears a memo from the U.S.P.S. date stamped Nov. 27/01 advising that the Express Mail envelope is being returned due to a suspension of service to ZIP Codes 202 through 205. This returned envelope was received by me on Nov. 28/01 and has not been opened.

I know that the enclosed sealed Express Mail envelope contains the following since I sealed it myself:

- (i) a continuation patent application (total of 25 pages) and drawings (total of 4 pages);
- (ii) Request for a Continuing Application Under 37 CFR 1.53(b) – (in duplicate);
- (iii) copy of Inventors' Declaration and Power of Attorney from parent application from which priority is claimed; and
- (iv) return postcard.

Very truly yours,



Elizabeth Miller
Admin.Asst. to Gordon M. Stewart